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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,609	04/02/2004	Michael W. Pfeiffer	STL11386	2452

7590 08/16/2006  
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EXAMINER

NGUYEN, TAI V

ART UNIT PAPER NUMBER

3729

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

C

**Office Action Summary****Application No.**

10/817,609

**Applicant(s)**

PFEIFFER ET AL.

**Examiner**

Tai Van Nguyen

**Art Unit**

3729

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7,9-13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,9,11-13 and 15-17 is/are rejected.
- 7) ☒ Claim(s) 4,6,7,10 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/2/04</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. In regards to the merits of Scott et al (US 5,984,104) in the previous Non Final Rejection filed 3/31/2006, the applicants arguments that Scott does not teach the feature of that the step the carrier comprising a carrier support surface arranged to continuously, and contactingly support the distal end of the flexure adjacent the transducer have found to be persuasive.

Accordingly, the previous Non Final Rejection has been withdrawn.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 5, 9, 11, 12 and 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Budde (US 5,757,586).

As applied to claims 1, 2, 9 and 12, Budd discloses an apparatus comprising a carrier (e.g. 18, Fig. 7) adapted to protect a head stack assembly comprising a cantilevered flexure (e.g. 16) which supports a transducer attached to sliders at a distal end thereof, the carrier comprising a carrier support surface arranged to continuously, contactingly support the distal end of the flexure adjacent the transducer and to permit a subsequent engagement of a medial portion of the flexure by a merge tool (e.g. 100,

102) which disengages the flexure from the carrier support surface (1 16A-1 16B) while merging the transducer with a recording surface.

As applied to claim 3, Budd discloses the carrier further comprises a retention feature (18a) which engage an edge of the head stack assembly to retain the carrier on the head stack assembly.

As applied to claim 5, Budd discloses the carrier in combination with the merge tool (column 5, lines 33-60+).

As applied to claim 11, Budd discloses the merge tool in combination with the carrier (see Fig. 7).

As applied to claim 13, Budd discloses the carrier further comprises a retention feature which engages an edge of the head assembly (e.g. 14) to retain the carrier on the head stack assembly (see Fig. 7).

As applied to claim 15 Budd discloses an apparatus, comprising: a carrier adapted (e.g. 18) to protect a head stack assembly comprising a cantilevered flexure (e.g. 16) which supports a transducer (e.g. 14) at a distal end thereof, the carrier comprising a carrier support surface arranged to contactingly support the distal end of the flexure by continuous deflection of the distal end; and a merge tool (e.g. 100, 102) adapted to merge the transducer with a recording surface (e.g. 8) comprising a merge support surface arranged to contactingly support a medial portion of the flexure while the carrier support (e.g. 18) surface is disposed between the merge support surface and the transducer (e.g. 14).

As applied to claim 16, Budde discloses wherein the carrier (A< Fig. 7) further comprises an elongated body having a medial portion that extends adjacent the medial portion of the flexure (16) and a distal end which support the carrier support surface (see Fig. 7).

As applied to claim 17, Budde discloses wherein the carrier further comprises a retention feature which engages an edge of the head stack assembly to retain the carrier on the head stack (e.g. 14) assembly.

Note: see Examiner's Attachment.

#### ***Allowable Subject Matter***

4. Claims 4, 6, 7, 10 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai Van Nguyen whose telephone number is 571-272-4567. The examiner can normally be reached on M-F (7:30 A.M - 4:30 P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TN.  
August 10, 2006.



**A. DEXTER TUGBANG**  
**PRIMARY EXAMINER**

